

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 3-21 and 23-38 are pending. Claims 1 and 21 are independent. Claims 1, 3, 6, 21 and 27 are hereby amended. Claims 2 and 22 are canceled, without prejudice or disclaimer of subject matter. No new matter is added by these amendments. Support for the amended recitations in the claims is found throughout the specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

The title was objected to. Specifically, the Examiner stated that the title was not descriptive. Applicants have amended the title to be clearly indicative of the invention to which the claims are directed to. Applicants therefore respectfully request that the objection to the title be withdrawn.

Claims 2, 3, 4, 9, 14-18, 22, 27, 32, 33-36 and 38 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants submit that claims 2 and 22 have been canceled and incorporated into independent claims 1 and 21, respectively. Claims 3, 4, 9, 14-18, 27, 32, 33-36 and 38 depend on one of claims 1 and 21.

II. REJECTION UNDER 35 U.S.C. § 112

Claim 6 was rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Specifically, the Office Action pointed out the phrase “the same external storage medium” lacks antecedent basis. Applicants have amended claim 6, thereby obviating the rejection. Applicants respectfully request the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. §102 and 103

Claims 1, 7, 10-13, 19, 21, 25, 28-31 and 37 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,077,612 to Megrgardt et al.

Claims 5, 6, 8, 20, 23, 24 and 26 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Megrgardt et al.

The allowable subject matter of claim 2 has been incorporated into independent claim 1. Therefore, independent claim 1 is believed to be patentable.

The allowable subject matter of claim 22 has been incorporated into independent claim 21. Therefore, independent claim 21 is believed to be patentable.

Accordingly, Applicants believe that independent claims 1 and 21 are patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800